From: <u>kira.dabby@lw.com</u>

To: <u>Cora, Lori</u>

Cc: KIRK.WILKINSON@lw.com
Subject: Chart of Gulf / Travelers Policies
Date: Monday, November 18, 2013 2:10:17 PM

Attachments: Gulf and Travelers Policies.xlsx

Lori,

Attached please find a spreadsheet of policies for which Gulf/Travelers may request releases if Gulf contributes to a settlement. Travelers now owns both Gulf and Aetna, so policies issued by Gulf, Travelers, and Aetna are listed on the attached chart. I used blue shading to reflect policies with sudden & accidental pollution exclusions. Red shading reflects policies that either have absolute pollution exclusions or are otherwise likely unavailable to offer coverage. Green shading indicates the Gulf policy that we discussed on this morning's telephone call.

Because Dillingham Construction was an affiliate of Dillingham Ship Repair (Dillingham Ship Repair is Dillingham entity implicated in the Portland Harbor matter), policies issued to Dillingham Construction (as opposed to Dillingham Corporation, the parent company) likely will not cover Dillingham Ship Repair liability, even if there were no pollution exclusion.

Except for the Gulf policy, Travelers has denied liability under every other policy listed on this chart.

Thank you, Kira

## Kira S. Dabby

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Latham & Watkins LLP

Named Insured	Carrier	Policy Number	Policy Period	Limits	Туре
Dillingham Corporation	Aetna Casualty & Surety Co.	?	5/1/77-5/1/78		
Dillingham Corporation	Aetna Casualty & Surety Co.	05AL189534SCA	5/1/81-5/1/84	\$1 Mil	
Dillingham Corporation	Aetna Casualty & Surety Co.	05 GL 9 SCA	5/1/81-5/1/82	\$1 Mil	
Dillingham Corporation	Aetna Casualty & Surety Co.	05 GL 9 SCA	5/1/80-5/1/81	\$1 Mil/\$5 Mil	
Dillingham Construction	Aetna Casualty & Surety Company	05XS6150SCA	6/29/87 - 5/1/88	\$10 Mill excess underlying limit or retained limit of \$500,000	
Dillingham Construction Holdings	Aetna Casualty & Surety Company	05XS598404SCA	5/1/88 to 5/1/89	\$8 Mill excess underlying limit or retained limit of \$800,000	
Dillingham Construction (DSR is covered if subsidiary)	Aetna Casualty & Surety Company	05AL636018SCA	6/29/87 - 5/1/88	Unknown	Unk
Dillingham Construction Holdings (DSR as affiliate may be additional insured)	& Surety	05GL5000588SCA	5/1/88 - 5/1/89	Unknown	Unk

Dillingham	Aetna Casualty	05AL42724SRY	1/1/65 - 7/1/65	Unknown	Unk
Corporation	& Surety Company				
Dillingham Corporation	Aetna Casualty & Surety Company	05AL189541SCA	5/1/84-5/1/86	\$1 Mil	
Dillingham Corporation	Aetna Casualty & Surety Company	05AL590844SCA	5/1/86 until 6/29/87	Not Listed	
Dillingham Corporation	Aetna Casualty & Surety Company	05XS6138SCA	5/1/86 until 6/29/87	\$16 Mil	
Dillingham Corporation	Aetna Casualty & Surety Company	05AL189541SCA	4/19/84 until Cancelled	\$500k	
Dillingham Corporation	Aetna Casualty & Surety Company	05AL189541SCA	4/26/83 until Cancelled	\$500k	
DIL Trust	Gulf Underwriters Insurance Co	GA6079144	10/22/97 to 10/22/14	\$10M per occ/ \$20M total	
Dillingham Entities	Travelers	05 AL 189524 SC/	5/1/79-5/1/81		
Dillingham Entities	Travelers	05 GL 591651 SC	5/1/85-5/1/86		

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Says Aetna   Say	Dillingham	Travelers (Policy	05XN133WCA	5/1/84 - 5/1/85	\$5M part of	
Signature   Sign	Corporation	says Aetna)			\$50M excess.	
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llingham proporation  Travelers (Policy says Aetna)						
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Says Aetna   Say	Dillingham	Travelors (Policy	05VN1645C4	5/1/QE E/1/OC	¢22 ENA part of	
Signature   Sign	_		UJANTU43CA	3/1/03 - 3/1/00	•	
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Dillingham	Travalara /Dalisa	EVN2220EC40CC	E/1/02 E/1/02	¢15N4	
Dillingham Construction Holdings	Travelers (Policy says Aetna)	)5XN22205640SC	5/1/92 - 5/1/93	\$15M part of \$40M excess \$35M excess primary	
Dillingham Construction Holdings	Travelers (Policy says Aetna)	)5XN23374147SC	5/1/93 - 5/1/94	\$15M part of \$35M excess \$40M excess primary	
Dillingham Construction Holdings	Travelers (Policy says Aetna)	)5XN24166342SC	5/1/94 - 5/1/95	\$10M part of \$35M excess \$65M excess primary	
Dillingham Construction Holdings	Travelers (Policy says Aetna)	)5XN24864622SC/	5/1/95 - 5/1/96	\$10M part of \$30M excess \$70M excess primary	
Dillingham Construction Holdings	Travelers (Policy says Aetna)	5XN255138626SC	5/1/96 - 5/1/97	\$10M part of \$30M excess \$70M excess primary	

Primary or			
Excess	Source	Notes	Policy?
Bumpershoot	DIL Trust	Travelers cannot find evidence of this policy, nor can DIL Trust find any backup documentation	
Primary	1-4-13 Travelers Letter (no limit); Port of Portland Spreadsheet; DIL Trust	Sudden & Accidental Pollution Exclusion	YES
Primary	Port of Portland Spreadsheet	Likely Sudden & Accidental Pollution Exclusion	YES, for that policy number
Primary	Port of Portland Spreadsheet (no \$5 million); 1-4- 13 Travelers Letter (no limit); DIL Trust	Sudden & Accidental Pollution Exclusion	YES
Excess Umbrella	1/4/13 Travelers Letter, Travelers policy	Pollution Exclusion clause	YES
Excess Umbrella	1/4/13 Travelers Letter, Travelers policy, DIL Trust	Pollution Exclusion clause	YES
Primary	1/4/13 Travelers Letter; DIL Trust		YES
Primary	1/4/13 Travelers Letter; DIL Trust		YES

Primary	1-4-13 Travelers Letter; DIL Trust	Irrelevant: policy issued to DSR before DSR operated in Portland	YES
Primary	1-4-13 Travelers Letter (no limit); Port of Portland Spreadsheet; DIL Trust	Sudden & Accidental Pollution Exclusion	YES
Primary	1-4-13 Travelers letter, no limit; Port of Portland Spreadsheet; DIL Trust list	Pollution Exclusion clause - CANNOT VERIFY	YES
Excess Umbrella	1-4-13 Travelers letter, Travelers policy; Port of Portland Spreadsheet; DIL Trust	Pollution Exclusion clause	YES
Primary	Port of Portland Spreadsheet	Sudden & Accidental Pollution Exclusion	YES
Primary	Port of Portland Spreadsheet	Sudden & Accidental Pollution Exclusion	YES, for that policy number
[Excess]	Gulf Policy	Currently paying defense fees subject to reservation of rights	YES
	HI Complaint	Only covers liabilities in Hawaii and Texas	
	HI Complaint	Only covers professional liablity	

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Excess Overlayer		Underlying	
		policy not	
		exhausted; no	
	1/4/13 Travelers	pollution	
	Letter	exclusion but	
		follows form;	
		other shares	
		unknown	YES
Excess Overlayer		Underlying	
,		policy not	
		exhausted; no	
	1-4-13 Travelers	•	
	Letter	exclusion but	
	Letter	follows form;	
		other shares	
			YES
		unknown	TES
Excess Overlayer		Underlying	
		policy not	
	_	exhausted; no	
	1-4-13 Travelers	•	
	Letter; DIL Trust	exclusion but	
		follows form;	
		other shares	
		unknown	YES
<b>Excess Overlayer</b>		Underlying	
		policy not	
	4 4 4 2 Too allow	exhausted;	
	1-4-13 Travelers	pollution	
	Letter	exclusion (noted	
		but not	
		attached)	YES - partial
Excess Overlayer		Underlying	•
Execus Grenayer		policy not	
	1-4-13 Travelers	exhausted;	
	Letter	pollution	
		exclusion	YES
Excess Overlayer		Underlying	123
LACESS OVERTAYER			
	1-4-13 Travelers	policy not	
	Letter	exhausted;	
		pollution	VEC
- C -		exclusion	YES
Excess Overlayer		Underlying	
	1-4-13 Travelers	policy not	
	Letter	exhausted;	
		pollution	
		exclusion	YES

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Excess Overlayer	1-4-13 Travelers Letter	Underlying policy not exhausted; pollution exclusion on Travelers portion; other shares unknown	YES
Excess Overlayer	1-4-13 Travelers Letter	Underlying policy not exhausted; pollution exclusion on Travelers portion; other shares unknown	YES
Excess Overlayer	1-4-13 Travelers Letter	Underlying policy not exhausted; pollution exclusion on Travelers portion; other shares unknown	YES
Excess Overlayer	1-4-13 Travelers Letter	Underlying policy not exhausted; pollution exclusion on Travelers portion; other shares unknown	YES
Excess Overlayer	1-4-13 Travelers Letter	Underlying policy not exhausted; pollution exclusion on Travelers portion; other shares unknown	YES